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United States Golf Association, Inc.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA****UNITED STATES GOLF ASSOCIATION,
INC.****Plaintiff,****v.****VARIOUS JOHN and JANE DOES,
Individuals,****and****VARIOUS XYZ ENTITIES,****Defendants.****CASE NO. 08 CV 0981 JM/JMA
UNDER SEAL****AFFIDAVIT OF SCOTT
DENNISON**

I, Scott Dennison, being duly sworn, hereby depose and say:

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CR

1 1. I am over eighteen (18) years of age and fully competent to make the
2 statements herein.

3 2. I have personal knowledge of the statements herein.

4 3. I am currently employed by Andy Frain Services, Inc. as Director of Special
5 Events, which company is providing security and related services for the United States
6 Golf Association ("USGA") at the 2008 U.S. Open and have held such position since
7 2005. In this position, I have worked on several United States Golf Championships. I
8 currently have 450 security officers who report to me.
9

10 4. I have been employed in the security field for more than 25 years. I have
11 also worked in the area of security at events such as U.S. Open Tennis Championships and
12 NASCAR events, as well as major sporting and concert events.

13 5. In the past, I worked as an investigator for a law firm focused on the areas
14 of patent and trademark law, while attending college at Purdue University. I graduated
15 from Purdue University in 1978 with a degree in aviation, followed by 4 years as an airline
16 pilot.

17 6. From 1982 to 1985, I worked as an instructor at the Department of State's
18 Anti-Terrorism Assistance Program and then was a Federal Air Marshall from 1985 to
19 1988.

20 7. For the following seven years (until 2005), I was a technical consultant in
21 the area of Weapons Detection Technology for the Central Intelligence Agency, as well as
22 the National Security Agency the United States Secret Service and the Department of
23 Justice's Federal Court System, working with federal prisons across the country.
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1 8. I have supervised other security officers on several occasions who worked
2 with trademark owners in the enforcement of laws related to counterfeit merchandise in
3 conjunction with the Harley Davidson Corporation's 100th Anniversary tour in 2003,
4 through eight different cities in the United States and in Canada. At each of the eight
5 cities, a United States District Court or a Canadian court had issued a restraining order
6 against counterfeiters. My work related to those orders involved the enforcement of the
7 orders and the seizure of counterfeit merchandise which bore registered trademarks.
8

9 9. As such, I am familiar with counterfeiting activity that takes place in the
10 United States with regard to certain events, such as sporting events and concerts.

11 10. I have been one of the primary planners for security, and will oversee
12 certain security related to the USGA's 2008 U.S. Open which will take place from June
13 12-15, 2008 (with practice rounds from June 9-11, 2008 and the chance of a playoff taking
14 place on June 16, 2008) at Torrey Pines South Golf Course.

15 11. Based upon my experience, I fully expect bootleggers and counterfeiters to
16 sell or offer for sale merchandise, including but not limited to, t-shirts and hats and other
17 clothing and/or merchandise which contain and/or include trademarks and/or other indicia
18 which belong to USGA.

19 12. In my experience, the only effective enforcement and prevention
20 mechanism that exists to deter and prevent such unauthorized activity at such events, such
21 as the 2008 U.S. Open, is a Temporary Restraining Order and an Order of Seizure, without
22 providing advanced notice to the persons selling the counterfeit merchandise.
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1 13. In my experience, if advance notice is provided to the bootleggers, they will
2 not appear at a Court hearing and/or the counterfeit merchandise will disappear in part or
3 in its entirety.
4

5 I verify under penalty of perjury that the foregoing statements are
6 true and correct.

7 Executed this 4th day of June, 2008, in San Diego, State of California.

8 
9 _____
10 Scott Dennison